

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Valerie Steiner,

Civ. No. 23-3719 (JWB/DTS)

Plaintiff,

v.

Brian Ashworth,

**ORDER ACCEPTING
REPORT AND RECOMMENDATION
OF MAGISTRATE JUDGE**

Defendant.

United States Magistrate Judge David T. Schultz issued a Report and Recommendation (“R&R”) on December 7, 2023. (Doc. No. 3.) No objections have been filed to that R&R in the time permitted. In the absence of timely objections, the R&R is reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996). Having reviewed the R&R, no clear error is found.

Based on the R&R of the Magistrate Judge, and on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The December 7, 2023 Report and Recommendation (Doc. No. 3) is **ACCEPTED**.
2. This case is **DISMISSED WITHOUT PREJUDICE** for lack of subject matter jurisdiction.
3. Plaintiff’s Application to Proceed in District Court without Prepaying Fees or Costs (Doc. No. 2) is **DENIED AS MOOT**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: January 8, 2024

s/ Jerry W. Blackwell

JERRY W. BLACKWELL
United States District Judge